

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Our Case No. 13347US02)

In the Application Of:

Whittingham et al.

Serial No.: 09/986,226

Filed: October 22, 2001

Examiner: L. Evanisko

Group Art Unit: 2622

For: RATIOING ALGORITHM FOR A
LABEL PRINTING SYSTEM
USING PLATES

Confirmation No.: 4979

CERTIFICATE OF MAILING

I hereby certify that this correspondence is
being deposited with the United States Postal
Service as first class mail in an envelope
addressed to: Mail Stop Amendment,
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450 on July 6, 2006.

By:

Jean Dudek Kuelper
Jean Dudek Kuelper

Reg: No.: 30,171

**PETITION UNDER 37 C.F.R. 1.78(a)(3) FOR UNINTENTIONALLY DELAYED CLAIM
FOR BENEFIT OF EARLIER FILING DATE UNDER 35 U.S.C. § 120**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above identified application as originally filed claimed the benefit of the earlier filing date of its copending parent application which was identified by its title, "Internet Label Production System" and filing date of "September 27, 2001." However, the identification of the parent application did not include its Application Number because as of the filing date of the present application, October 21, 2001, the application number of the parent application had not yet been received.

It is therefore respectfully requested that the paragraph at page 1 of the specification under the heading "CROSS-REFERENCE TO RELATED APPLICATIONS" be replaced with the following paragraph with the missing Application Number inserted.

This is a continuation-in-part of United States application Serial No.
09/965,359 entitled "Internet Label Production System" filed September 27, 2001.

07/12/2006 FMEK11 00000009 130017 09986226
01 FC:1454 1370.00 DA

Adjustment date: 10/18/2006 CKHLOK
07/12/2006 FMEK11 00000009 130017 09986226
01 FC:1454 1370.00 CR

It is requested that the surcharge under 37 C.F.R. 1.17(t) be charged to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

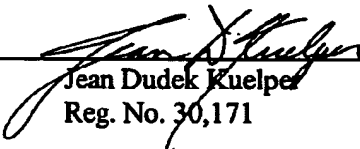
The entire delay between the date that the claim was due under 37 C.F.R. 1.78(a)(3) and the date that the claim was filed was unintentional.

In view of the above, it is respectfully requested that this Petition Under 37 C.F.R. 1.78(a)(3) For Unintentionally Delayed Claim For Benefit of Earlier Filing Date Under 35 U.S.C. § 120 be granted.

Respectfully submitted,

Dated: July 6, 2006

McAndrews, Held & Malloy, Ltd.
500 West Madison St., 34th Floor
Chicago, IL 60661
(312) 775-8000


Jean Dudek Kuelper
Reg. No. 30,171

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request: 10/16/06		2 Serial/Patent # 09/986,226		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time			\$
	Notice of Appeal/Appeal			\$
X	Petition	wfee	07/10/06	\$ 1,370.00
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
	Other			\$
			7 TOTAL AMOUNT OF REFUND	\$ 1,370.00
10 REASON:		8 TO BE REFUNDED BY:		
	Overpayment	Treasury Check		
X	Duplicate Payment	X	Credit Deposit A/C #:	
	No Fee Due (Explanation):	9	1 3 -- 0 0 1 7	
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: Sherry D. Brinkley		TITLE: Petitions Examiner		
SIGNATURE: <i>Sherry D. Brinkley</i>		PHONE: 2-3204		
OFFICE: Petitions				
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APPROVED: <i>CKB</i>		DATE: 10/18/06		

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